

**BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2020-268-T – ORDER NO. 2021-____
_____,2021**

IN	Application of Zip2Zip Movers,)	ORDER GRANTING CLASS E
RE:	LLC for a Class E (Household)	HOUSEHOLD GOODS
	Goods) Certificate of Public)	CERTIFICATE
	Convenience and Necessity for)	STATEWIDE AUTHORITY
	Operation of Motor Vehicle)	
	Carrier)	

I. INTRODUCTION

This matter comes before the Public Service Commission of South Carolina ("Commission") on the Application of Zip2Zip Movers, LLC (hereinafter referred to as "Zip2Zip" or the "Applicant"). By its Application, Zip2Zip requests a Class E Certificate of Public Convenience and Necessity ("CPCN") with authority to transport household goods statewide.

II. PROCEDURAL HISTORY

Zip2Zip filed its Application with the Commission on November 5, 2020. By letter dated November 17, 2020, the Clerk's Office of the Commission instructed Zip2Zip to publish the Notice of Filing (the "Notice") in newspapers of general circulation. Among other things, the Notice provided information regarding the Application and advised any person who desired to participate as a party of record that a Petition to Intervene must be filed on or before December 23, 2020. Notice was timely published. No person intervened as a party of record.

The evidentiary hearing was held virtually on February 25, 2021, with the Honorable Justin T. Williams presiding. Applicant was represented by Charles Terreni,

Esquire. The South Carolina Office of Regulatory Staff ("ORS"), a party of record pursuant to S.C. Code Ann. § 58-41-10(B) (Supp. 2019), was represented by C. Lessie Hammonds, Esquire.

III. EVIDENCE OF RECORD

Zip2Zip is a South Carolina limited liability company formed on August 4, 2020. The company's members are Benjamin Fleming and Guilherme Vasques. Applicant was granted authority to transact business in South Carolina on September 11, 2020.

Zip2Zip called its organizing member, Benjamin Fleming, as a witness. Mr. Fleming started Zip2Zip because he wants to own a business focused on personal service. Mr. Fleming and Mr. Vasques have gained experience by conducting labor only moves since they established Zip2Zip. The company has purchased a 2012 Ford F750 Super Duty truck and has purchased adequate liability and cargo insurance. Zip2Zip will begin with two employees. Zip2Zip will train its employees with videos, handbooks, and hands-on-training. Mr. Fleming will initially serve as the company's training director.

Mr. Fleming believes South Carolina's rapid population growth will provide an opportunity for his household goods moving business. Zip2Zip will market its services in South Carolina through several traditional and modern avenues of advertising and marketing. Zip2Zip will use social media, postcards to new home buyers and sellers in the region and an online presence with search engine optimization and pay-per-click ads. Mr. Fleming testified Zip2Zip plans to be very engaged in community events and

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causes.

Zip2Zip plans to grow the business over the next five (5) years, adding two or three trucks per year. Mr. Fleming is aiming for substantial revenue growth by the five-year mark. Mr. Fleming testified there are no outstanding judgments against him, Mr. Vasques, or Zip2Zip. Further, Zip2Zip is familiar with all statutes and regulations governing for-hire motor carrier operations in South Carolina, including the Commission's regulations regarding insurance requirements.

On December 30, 2020, Applicant moved to present shipper witness testimony of Mikel-Ann Scott by declaration. The Hearing Officer granted this request by Order No. 2020-144-H. Ms. Scott is a real estate agent with Marchant Real Estate in Greenville. She has worked in the area since 2012. Ms. Scott testified South Carolina's housing market is strong. Ms. Jackson is frequently asked to recommend movers of household goods, and it can be difficult to find qualified movers who are dependable and experienced. She would like to add Zip2Zip to the list of companies she recommends for moving services and believes the public interest would be served by granting Zip2Zip's Application.

ORS did not prefile direct testimony. By letter dated February 25, 2021, ORS stated it is "of the opinion that the Applicant will meet the requirements of fit, willing and able as required of a Household Goods Mover under the provisions of S.C. Code Ann. Regs. 103-133 (2012)."

IV. LAW

The Commission is charged with promulgating regulations to govern the operations of carriers of household goods. S.C. Code Ann. § 58-23-590(A). The

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Commission is authorized to fix or approve just and reasonable rates, fares, and charges upon a showing that the applicant is fit, willing, and able to appropriately perform the proposed service and that public convenience and necessity are not already being served in the territory by existing authorized service. S.C. Code Ann. § 58-23-1010 (2015); S.C. Code Ann. Regs. 103-133(1) (2012); S.C. Code Ann. Regs. 103-192 (2012). S.C. Code Ann. Regs. 103-133 (2012) is entitled "Proof Required to Justify Approving an Application" and for household goods applications, provides:

- a. **FIT.** The applicant must demonstrate or the commission determines that the applicant's safety rating is satisfactory. This can be obtained from U.S.D.O.T. and S.C.D.P.S. safety records. Applicants should also certify that there are no outstanding judgments pending against such applicant. The applicant should further certify that he is familiar with all statutes and regulations, including safety operations in South Carolina, and agree to operate in compliance with these statutes and regulations.
- b. **ABLE.** The applicant should demonstrate that he has either purchased or leased on a long-term basis necessary equipment to provide the service for which he is applying. Thirty days or more shall constitute a long-term basis. The applicant must undergo an inspection of all vehicles and facilities to be used to provide the proposed service. The applicant should also provide evidence in the form of insurance policies or insurance quotes, indicating that he is aware of the commission's insurance requirements and the costs associated therewith. Additionally, the applicant can file a statement indicating the applicant's purpose for seeking a Class E Certificate, the applicant's 5-year plan if the commission grants the applicant a Class E Certificate, and such other information that may be contained in a business proposal.
- c. **WILLING.** Having met the requirements as to "fit and able," the submitting of the application for operating authority would be sufficient demonstration of the applicant's willingness to provide the authority sought.

(emphasis added) S.C. Code Ann. Regs. 103-133(1) (2012).

V. DISCUSSION

Based upon the evidence of record, Zip2Zip has demonstrated it is fit, willing, and able to provide, and properly perform the proposed services. Mr. Fleming testified there are no outstanding judgments pending against Applicant and certified Zip2Zip is familiar with and will comply with all statutes and regulations governing for-hire motor carrier services. This satisfies the "fitness" requirement.

"Able" was demonstrated by Applicant's ownership of a vehicle. Applicant has also purchased insurance, which indicates Applicant is aware of the Commission's insurance requirements and the costs associated therewith.

Having demonstrated Zip2Zip is "fit" and "able" to provide the proposed service, filing the Application satisfies the "willing" requirement.

Applicant has also met the public convenience and necessity requirement. Ms. Scott, a real estate agent of nine years, testified as to the difficulty she encounters when recommending movers who are dependable and experienced.

VI. FINDINGS OF FACT

1. The Commission finds there are no outstanding judgments pending against Zip2Zip. Further, Applicant is familiar with, and agrees to comply with, all statutes and regulations governing movers of household goods. Zip2Zip is fit to appropriately perform the service described in its Application.

2. The Commission finds Zip2Zip owns a vehicle to provide the service described in its Application. Further, Zip2Zip has purchased adequate insurance. Zip2Zip is able to appropriately perform the service described in its Application.

3. The Commission finds that by submitting its Application, Zip2Zip has demonstrated it is willing to appropriately perform the proposed service.

4. The Commissions finds that public convenience and necessity are not already being served by existing authorized services.

VI. CONCLUSIONS OF LAW

1. The Commissions concludes that Zip2Zip has demonstrated it is fit, willing, and able to appropriately perform the service described in its Application. S.C. Code Ann. Regs. 103-133(1) (2012).

2. The Commission concludes that the public convenience and necessity are not already being served by existing authorized service. S.C. Code Ann. Regs. 103-133(1) (2012).

3. The Commission concludes that a Class E (Household Goods) Certificate of Public Convenience and Necessity should be granted to Zip2Zip.

VII. ORDERING PROVISIONS

IT IS THEREFORE ORDERED:

1. The Application of Zip2Zip Movers, LLC for a Class E (Household Goods) Certificate of Public Convenience and Necessity is approved for the Applicant to transport household goods to points and places throughout South Carolina.

2. Zip2Zip' Tariff and Bill of Lading, filed with the Commission on February 12, 2021, are approved and attached hereto as Order Exhibits 1 and 2, respectively.

3. Applicant shall file with the Office of Regulatory Staff the proper insurance, safety rating, and other information required by S.C. Code Ann. § 58-23-10 et seq., as amended, and by S.C. Regulations 103-100 through 103-241 of the Commission's Rules

and Regulations for Motor Carriers, and S.C. Regulations 38-400 through 38-503 of the Department of Public Safety's Rules and Regulations for Motor Carriers, as amended, within ninety (90) days of the date of this Order, or within such additional time as may be authorized by the Commission.

4. Upon compliance with S.C. Code Ann. § 58-23-10 et seq., and the applicable Regulations for Motor Carriers, a Certificate will be issued by ORS authorizing the motor carrier services granted herein.

5. The motor carrier's services authorized by this Order may not be provided prior to compliance with the above-referenced requirements and receipt of a Certificate.

6. Failure of Applicant to either (1) complete the certification process by complying with ORS requirements within ninety (90) days of this Order, or (2) to request and obtain from the Commission additional time to comply with the requirements stated above, will cause this Order granting the Application to be null and void, and the Application will be dismissed without prejudice. No further order of this Commission is necessary.

7. Should Applicant fail to meet the requirements of this Order, ORS is requested to furnish the name and docket number of Applicant to the Commission, pursuant to the two-month reporting requirement contained in Order No. 2014-443 (May 21, 2014). If such notification is provided, the docket will be closed.

8. This Order shall remain in full force and effect until further order of the Commission.

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BY ORDER OF THE COMMISSION

Justin T. Williams, Chairman
Public Service Commission of
South Carolina